

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JOHN ANDREW KISTER, AIS 264274, )  
  )  
Plaintiff,                         )  
  )  
v.                                     ) CIVIL CASE NO. 2:20-cv-852-ECM  
  )  
JOHN Q. HAMM, *et al.*,         )  
  )  
Defendants.                         )

**MEMORANDUM OPINION and ORDER**

On November 27, 2023, the Magistrate Judge entered a Recommendation (doc. 32) to which no timely objections have been filed. Upon an independent review of the file and upon consideration of the Recommendation, it is

ORDERED as follows:

1. The Recommendation of the Magistrate Judge (doc. 32) is ADOPTED;
2. The Defendants' Answer and Special Report (doc. 16) is construed as a motion for summary judgment, and the motion for summary judgment (doc. 16) is GRANTED;
3. This case is DISMISSED with prejudice.

A separate Final Judgment will be entered.

DONE this 11th day of January, 2024.

/s/ Emily C. Marks  
EMILY C. MARKS  
CHIEF UNITED STATES DISTRICT JUDGE